

and fortify the natural defenses of the body against acute and chronic endotoxic infections when so administered.

It was alleged to be misbranded in that representations in the labeling that it would be efficacious in the treatment of infections of the endotoxic type by activating the natural defenses were false and misleading since it would not be efficacious for such purposes. It was alleged to be misbranded further in that it was offered for sale under the name of another drug, namely, under the name previously given to an article containing substantially different ingredients and intended for use in the cure, mitigation, treatment, or prevention of disease in man.

The article, with the exception of that contained in 8 boxes each containing 10 10-cc. vials, was alleged to be misbranded further in that the label failed to bear the common or usual name of each active ingredient.

On October 7, 1940, the case having been called and the claimant having failed to appear or answer, judgment of condemnation was entered and the product was ordered destroyed.

361. Misbranding of World's Tonic Compound with Alkalines. U. S. v. 64 Packages of World's Tonic Compound with Alkalines. Default decree of condemnation and destruction. (F. D. C. No. 2672. Sample No. 27270-E.)

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter, and it also failed to bear an accurate statement of the quantity or proportion of strychnine present.

On August 28, 1940, the United States attorney for the Northern District of West Virginia filed a libel against 64 packages of the above-named product at Parkersburg, W. Va., alleging that the article had been shipped in interstate commerce on or about July 6, 1940, by the World's Medicine Co. from Columbus, Ohio; and charging that it was misbranded.

Analysis showed that the article consisted essentially of extracts of plant drugs including sassafras, licorice, and laxative plant drugs such as aloë and emodin-bearing drugs, together with alcohol (12 percent), a small quantity of iron, strychnine (not over 0.004 grain per fluid ounce, equivalent to 0.36 grain of nux vomica), and a very small proportion of alkaline substances.

It was alleged to be misbranded in that the following and similar statements appearing in the labeling were false and misleading since it was essentially a laxative and could not serve as a tonic or as a source of alkalies: (Carton, bottle, and circular) "World's Tonic Compound With Alkalines"; (circular) "Contains a combination of especially selected herbs, barks and roots, vegetable in origin and recognized for their merit. All Roots, Barks, Herbs, etc., used in World's Tonic and imported from Foreign Countries are Examined by the United States Department of Agriculture. * * * The number of bottles of World's Tonic Compound with alkalines one should take to bring about the best results varies according to the condition of the person." It was alleged to be misbranded further in that the label did not bear a statement of the quantity or proportion of strychnine since the statements "Nux Vomica 3 grains to each fluid ounce, containing 1.15% of a grain of strychnine to each grain of nux vomica," borne on the label, was incorrect.

On January 7, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

362. Misbranding of hair tonic. U. S. v. 72 Pint Bottles of Red Fox Quinine Hair Tonic. Default decree of condemnation and destruction. (F. D. C. No. 3621. Sample No. 20735-E.)

The labels of this product failed to bear a statement of the active ingredients and an accurate statement of the quantity of the contents, and some failed to bear a statement of the quantity or proportion of alcohol. Moreover, it would not be efficacious as a hair tonic as represented on the labels, nor would it be efficacious for the relief of dandruff as represented on some of the labels.

On January 2, 1941, the United States attorney for the Southern District of Florida filed a libel against 72 pint bottles of Red Fox Quinine Hair Tonic at Jacksonville, Fla., alleging that the article had been shipped in interstate commerce from Brooklyn, N. Y., by the Healox Co., Inc., on or about November 12, 1940; and charging that it was misbranded.

Analysis showed that it consisted essentially of alcohol, water, and small amounts of brucine and perfume material. It contained no quinine.

The article was alleged to be misbranded in that the statements "Quinine Hair Tonic" on all the labels, and "Relieves Dandruff," appearing on some of the